

EXHIBIT 6

1 UNITED STATES DISTRICT COURT
 2 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION
 3

4 CORY SPENCER, an individual;)
 5 DIANA MILENA REED, an)
 6 individual; and COASTAL)
 7 PROTECTION RANGERS, INC., a)
 8 California non-profit public)
 9 benefit corporation,)

10 Plaintiffs,)

11 vs.)

No. 2:16-CV-02129-SJO
 (RAOx)

12 LUNADA BAY BOYS; THE)
 13 INDIVIDUAL MEMBERS OF THE)
 14 LUNADA BAY BOYS, including)
 15 but not limited to SANG LEE,)
 16 BRANT BLAKEMAN, ALAN JOHNSTON)
 17 AKA JALIAN JOHNSTON, MICHAEL)
 18 RAE PAPAYANS, ANGELO FERRARA)
 19 FRANK FERRARA, CHARLIE)
 20 FERRARA, and N.F.; CITY OF)
 21 PALOS VERDES ESTATES; CHIEF)
 22 OF POLICE JEFF KEPLEY, in)
 23 his representative capacity;)
 24 and DOES 1-10,)

25 Defendants.)
 _____)

DEPOSITION OF

ALAN JOHNSTON

IRVINE, CALIFORNIA

JULY 28, 2017

ATKINSON-BAKER, INC.
 COURT REPORTERS
 www.depo.com

(800) 288-3376

REPORTED BY: MELISA RUSSIE, CSR NO. 7040

FILE NO.: AB06A2B

1 | A Mostly like DUI; weed offenses; you know, 09:34:41

2 walking home from parties too late, stuff like that. 09:34:50

3 | Skateboarding, I think. Jay walking. 09:34:57

4 Q Have you ever been arrested for anything else? 09:35:05

5	A No.	09:35:08
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6 Q Walking home too late; is that a crime? 09:35:08

7 | A I didn't think so, but I guess in P.V. it is. 09:35:11

8 I mean, maybe I had too many, but at least I had the 09:35:16

9 | good decision to walk, right? 09:35:19

10 | Q Have you ever been convicted of any crimes? 09:35:26

11 | A I don't think so. 09:35:30

12	Q	You are not sure?	09:35:31
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13	A	I mean, I don't know what that means. Every	09:35:32
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14 | time I got arrested, yeah, I got a ticket and went and 09:35:35

15 | paid for it, does that mean conviction? I don't know. 09:35:39

16 I'm not into this like law mumbo-jumbo, so you have to 09:35:43

17 | -- like convicted? I never had a trial of anything, 09:35:48

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18 | so --
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19	Q Okay. You paid fines?	09:35:51
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20	A Yes.	09:35:53
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21 Q Did you ever spend any time in county jail or 09:35:53

22 | prison? 09:35:57

23 | A No. 09:35:57

24	Q	Where did you go to high school?	09:35:58
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25	A	Palos Verdes Peninsula High School and Rancho	09:36:07
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1 Del Mar, actually. I forgot about that. I actually did 09:36:12
2 most of my high school in Rancho Del Mar. 09:36:15
3 Q Did you graduate from either? 09:36:20
4 A I graduated from Peninsula, but I mostly did 09:36:22
5 all my studies at Rancho. The best years of my life. 09:36:27
6 Q Is Rancho Del Mar a separate high school? 09:36:33
7 A Continuation school on top of the thing, you 09:36:36
8 know, on top of the hill. Really easy. Just like show 09:36:38
9 up for three hours; do like a couple of things; 09:36:41
10 skateboard home and surf. It's pretty genius. 09:36:44
11 Q What year did you graduate from high school? 09:36:48
12 A 1998. 09:36:52
13 Q Did you attend any college? 09:36:53
14 A Maybe like half of a semester. I tried to go 09:37:05
15 to Cuesta, but it wasn't really happening. 09:37:10
16 Q Are you currently employed? 09:37:12
17 A Self-employed. 09:37:16
18 Q Self-employed as what? 09:37:17
19 A I am an artist. 09:37:24
20 Q Okay. Where did you return home from most 09:37:25
21 recently? 09:37:45
22 A Sri Lanka. 09:37:46
23 Q Where were you before Sri Lanka? 09:37:47
24 A Semlamu Islands, Indonesia. 09:37:48
25 Q Before that? 09:37:51

1 months ago, the one that I turned in that you guys stole 09:46:23
2 or whatever? I mean, yeah, like that one I pretty much 09:46:28
3 wrecked, but it came back to life somehow, I don't know. 09:46:34
4 I got like too drunk on the rack. I passed out in the 09:46:39
5 rain. My girlfriend left me there, then woke up and the 09:46:44
6 phone wasn't working, then four days later after it 09:46:48
7 dried out it turned on again. 09:46:51

8 BY MS. POOLEY:

9 Q When you say you turned it in, what do you mean 09:46:53
10 by that? 09:46:57

11 A You guys demanded it. 09:46:57

12 Q So who did you turn it into? 09:47:00

13 A Pat. 09:47:05

14 Q So you gave your phone to your attorney? 09:47:05

15 A Yeah. To give to you. 09:47:09

16 Q It's your understanding that we have possession 09:47:12
17 of your phone? 09:47:14

18 A Yeah. It would be cool to get it back one day, 09:47:15
19 too. 09:47:23

20 Q I don't believe we have it. But -- 09:47:23

21 A Well-noted. 09:47:30

22 Q Have you talked with any surfing publications 09:47:31
23 in the last, say, 90 days? 09:47:40

24 A Yeah. 09:47:41

25 Q Who? Which publications? 09:47:41

1 A I e-mailed this dude to Surfer Magazine because 09:47:43
2 he wanted -- he wanted some words about what was going 09:47:48
3 on with the case. 09:47:54
4 Q I apologize. I got a little distracted. Who 09:47:56
5 was it? 09:47:59
6 A Some dude from Surfing Magazine. He's going to 09:48:00
7 publish -- he said he was going to publish an article 09:48:03
8 and he wanted like the real story. So I didn't really 09:48:07
9 want to give him like the story because the case was 09:48:10
10 pending, but I gave him some thoughts. 09:48:15
11 Q Who was this? 09:48:19
12 A I think his name was -- the e-mail was Ashton 09:48:20
13 or something. 09:48:24
14 Q Okay. Ashton contacted you? 09:48:24
15 A Yeah. 09:48:30
16 Q Where did he contact you? 09:48:30
17 A On Instagram. 09:48:32
18 Q So you had like a chat through Instagram or did 09:48:34
19 you talk to him over the phone or what did you do? 09:49:01
20 A He just said I'm writing an article, if you 09:49:02
21 want to give me some words, e-mail me. 09:49:05
22 Q Okay. Did you do that? 09:49:09
23 A Yeah. I sent him one e-mail. 09:49:10
24 Q Did he -- 09:49:14
25 A He never even got back to me. 09:49:16

1	Q	When was this?	09:49:18
2	A	Maybe like two months ago.	09:49:20
3	Q	That's your best estimate?	09:49:21
4	A	Yeah.	09:49:23
5	Q	So Ashton was asking you to comment on this	09:49:29
6		lawsuit?	09:49:31
7	A	Yeah.	09:49:33
8	Q	What did you tell Ashton?	09:49:33
9	A	I just said, you know, everything that they	09:49:37
10		have been printing in the media is just a lie. You	09:49:40
11		know, nothing that they've been saying is real. You	09:49:43
12		know, just the truth will come out. I told him Auton is	09:49:47
13		like a scum bag and everybody knows it.	09:49:57
14	Q	Say that again?	09:50:01
15	A	Auton is a scumbag and everyone knows it.	
16	Q	Did you tell Ashton anything else in your	09:50:15
17		e-mail to him about this case?	09:50:16
18	A	That's pretty much it.	09:50:19
19	Q	So if you say "pretty much it", that sounds	09:50:21
20		like maybe there's more?	09:50:25
21	A	Probably. I just can't remember. It was an	09:50:26
22		e-mail two months ago, I mean.	09:50:28
23	Q	Okay.	09:50:29
24	A	I can't recite it for you word for word, but	09:50:31
25		basically that.	

1 Q Okay. Did you tell him that you grew up in the 09:50:33
2 era when surfers were anything but the little whiners 09:50:54
3 they are now? 09:50:58

4 A Yeah. 09:50:58

5 Q Did you tell him that we used to get heckled 09:50:58
6 from sun up to sun down and it molded us into the people 09:51:03
7 we are now? 09:51:07

8 A Yeah. 09:51:07

9 Q Did you tell Ashton that now someone says one 09:51:07
10 little thing and guys are calling cops and lawyers and 09:51:16
11 the old-timers are rolling over in their grave at this 09:51:19
12 whole thing? 09:51:24

13 A Yeah. 09:51:24

14 Q Did you tell Ashton that you think there's 09:51:25
15 locals everywhere and if you don't respect them you will 09:51:29
16 get shit and that he should obviously know that? 09:51:34

17 A Yeah. 09:51:36

18 Q Did you say to Ashton that you guessed he was 09:51:36
19 being paid to write an article for the plaintiffs? 09:51:51

20 A Yeah. 09:51:55

21 Q Did you tell Ashton that outsiders will get 09:51:58
22 nothing? 09:52:02

23 A Yeah. 09:52:03

24 Q What did you mean by that? 09:52:03

25 A I meant the surf break is just really crowded 09:52:07

1	and there isn't excess waves for outsiders.	09:52:10
2	Q Who are "outsiders"?	09:52:13
3	A Just people that don't know everybody.	09:52:15
4	Q People that don't know everybody where?	09:52:19
5	A At the surf break.	09:52:21
6	Q Which surf break?	09:52:23
7	A Palos Verdes. Lunada Bay. I mean, every surf	09:52:25
8	break.	09:52:33
9	Q When you were talking to Ashton, you were	09:52:33
10	talking Lunada Bay?	09:52:36
11	A Just Palos Verdes in general. The whole	09:52:37
12	Peninsula is crowded.	09:52:40
13	Q When you were speaking with Ashton, were you	09:52:42
14	speaking about this case in Lunada Bay?	09:53:16
15	A Yeah, pretty much.	09:53:18
16	Q Did you tell Ashton that you thought the	09:53:24
17	plaintiffs in this case were just out for financial	09:53:26
18	incentives?	09:53:30
19	A Yeah.	09:53:30
20	Q And did you tell Ashton that Diana Reed was	09:53:31
21	lying about the whole thing?	09:53:37
22	A Yeah.	09:53:38
23	Q What did you think Ms. Reed is lying about?	09:53:39
24	A She lied to the police that I exposed myself to	09:53:44
25	her. And she lied that I poured a beer on top of her	09:53:50

1 Q Sure. Yeah. 10:03:12

2 A I don't think so. Not off the top of my mind. 10:03:16

3 Q Have you ever brought any friends from outside 10:03:22

4 of the area to surf at Lunada Bay? 10:03:27

5 A No. 10:03:29

6 Q Any reason why not? 10:03:30

7 A I just think it's just disrespectful just for 10:03:35

8 everyone that has paid dues to grow up there or just -- 10:03:39

9 it's just something that you don't do in the surfing 10:03:45

10 world. You don't bring people to secret spots. 10:03:48

11 Q What do you mean by a "secret spots"? 10:03:51

12 A Any spot in general that's held in esteem to be 10:04:09

13 secret. 10:04:15

14 Q Do you ever drink beer at Lunada Bay? 10:04:15

15 A Yeah. 10:04:38

16 Q Have you ever seen others drink beer at Lunada 10:04:39

17 Bay? 10:04:41

18 A Yeah. 10:04:42

19 Q Is that a common occurrence? 10:04:42

20 A Yeah. 10:04:44

21 MS. HEWITT: Calls for speculation. 10:04:45

22 BY MS. POOLEY: 10:04:48

23 Q Have any ever had a fire down at Lunada Bay? 10:04:48

24 A Yeah. 10:04:56

25 Q Have you ever cooked down at Lunada Bay? 10:04:57

1 Lunada Bay? 10:17:27

2 A Yeah, there's like seven or eight. Depending 10:17:27

3 on what you call "surf breaks". Some people wouldn't 10:17:37

4 call it a surf break. I could see the potential in some 10:17:40

5 waves that other people just think are danger. 10:17:44

6 Q Okay. Is Lunada Bay a special place? 10:17:47

7 A Yeah. 10:17:50

8 Q What makes it special? 10:17:50

9 A Just its geographical beauty. Archaeological 10:17:53

10 beauty. The wave is pretty fun. 10:18:01

11 Q You say the waves is pretty fun. How is it 10:18:06

12 pretty fun? 10:18:12

13 A There's like a really cool kelp bed that kind 10:18:13

14 of protect the wave from becoming, you know, like 10:18:18

15 chunked up with wind, so kind of glasses the faces out 10:18:23

16 so it's really smooth for surfing. It feels really 10:18:27

17 good. I mean, which wave? There's seven of them and 10:18:33

18 they all offer different things. 10:18:37

19 Q I was just asking you what made it pretty fun. 10:18:41

20 Have you had good days surfing with your 10:18:50

21 friends at Lunada Bay? 10:18:52

22 A Yes. 10:18:53

23 Q Which of your friends have you surfed with at 10:18:55

24 Lunada Bay? 10:19:01

25 A Well, just pretty much everyone on the 10:19:02

1 defendant list, and then -- 10:19:07

2 Q Can you just identify people by name, please. 10:19:07

3 A Like hundreds of people that I know? 10:19:11

4 Q I've asked you who you surfed with at Lunada 10:19:13

5 Bay? 10:19:16

6 A Well, definitely, you know, people from my era. 10:19:17

7 Like John Lund. Jay Nelson. Just those people. 10:19:21

8 Q You can only identify two people that you have 10:19:35

9 surfed with at Lunada Bay? 10:19:38

10 A I can identify more but you just want me to go 10:19:39

11 off forever? 10:19:42

12 Q I want you to tell me? 10:19:43

13 A Robert Bacon. Brant Blakeman. Tom Sullivan. 10:19:44

14 Charlie Moet. Sang Lee. Dave Mellow. That's about it. 10:19:55

15 Q Have you ever quantified the sort of monetary 10:20:02

16 value to you of a good day surfing with your friends? 10:20:21

17 MR. DIEFFENBACH: Speculation. No foundation. 10:20:27

18 MS. HEWITT: Also vague. 10:20:30

19 THE WITNESS: Not really. It's not even -- 10:20:31

20 it's beyond money. 10:20:34

21 MR. DIEFFENBACH: While we were off the record 10:20:38

22 we had a stipulation that all objections are joined by 10:20:40

23 all defendants. Just putting that on the record. Thank 10:20:46

24 you. 10:20:49

25 BY MS. POOLEY: 10:20:50

1	Q Did you ever say that a good day surfing with	10:20:50
2	my friends is like 5 grand to me?	10:20:55
3	A I might have said that.	10:20:57
4	Q You don't recall?	10:20:58
5	A Yeah.	10:21:00
6	Q Were you ever interviewed by Katherine Blossom	10:21:00
7	Lawry?	10:21:04
8	A Who is that? Maybe. I've been interviewed by	10:21:09
9	a lot of people.	10:21:13
10	Q If Ms. Lawry quoted you in an article as saying	10:21:16
11	that a good day surfing with my friends is like 5 grand	10:21:24
12	to me, do you have any reason to doubt that she	10:21:28
13	accurately quoted you?	10:21:30
14	A I might have said that. I mean, now that I --	10:21:31
15	now that I'm thinking about it, it's worth more than	10:21:34
16	that, and it's worth less than that. You can't put a	10:21:38
17	monetary value on surfing, you know. It cost money to	10:21:42
18	travel and stay in hotels and surfboards cost money and	10:21:47
19	stuff, but the feeling is -- you can't equate like to	10:21:51
20	anything financial.	10:21:55
21	Q I appreciate your testimony. My question was	10:21:56
22	really specific as to whether you said that, and then my	10:21:59
23	last question was whether if she -- if Ms. Lawry had	10:22:02
24	quoted you in an article of saying that, do you have any	10:22:07
25	reason to doubt that she quoted you accurately?	10:22:09

1 A No, I just make a joke. 10:58:41

2 Q Have you observed anyone else interact with any 10:58:42

3 of these individuals who changed into their wet suit on 10:58:46

4 the top of the bluff at Lunada Bay? 10:58:49

5 A Yeah. Couple of people just making jokes. 10:58:52

6 Q Can you recall any that you heard? 10:58:58

7 A We like the yeast joke, it's kind of funny. 10:59:00

8 Because if you wear your wet suit a lot you get yeast 10:59:03

9 growing inside. It's kind of funny. 10:59:08

10 Q Have you heard any other jokes? 10:59:10

11 A No. 10:59:13

12 Q Have you observed anyone inform these 10:59:14

13 individuals that changed into their wet suit at the top 10:59:20

14 of the bluff at Lunada Bay that the custom is to not do 10:59:24

15 that? 10:59:28

16 A Yeah. 10:59:28

17 Q Who have you observed do that? 10:59:28

18 A I don't recall, but just over the years it's 10:59:33

19 like, "Hey, come on. Change at the bottom." 10:59:36

20 Q In terms of the etiquette, protocol, or rules 10:59:38

21 at Lunada Bay, are there any other practices that are 10:59:52

22 suggested other than putting the wet suit on after 11:00:01

23 you've gone down the trail to Lunada Bay? 11:00:06

24 A Yeah, just like those things that I mentioned 11:00:08

25 earlier about sitting on the inside and not cutting in 11:00:10

1 line and, you know, packing your trash out, would be 11:00:14
2 nice, too. But other than that, that is pretty much it. 11:00:18

3 Q Okay. How about are there any rules where 11:00:21
4 people -- about where people should park? 11:00:24

5 A No. 11:00:29

6 Q Any rules or etiquette about the number of 11:00:29
7 surfers in the water at any given time at Lunada Bay? 11:00:37

8 A I mean, it's generally like -- as a surfer you 11:00:39
9 gauge the line-up, and if you see more people out than 11:00:45
10 waves coming in, it's a good idea to just maybe go look 11:00:49
11 somewhere else and find waves where there isn't 11:00:54
12 everybody. We have like how many miles of coastline on 11:00:58
13 this planet? Why does there need to be like 500 people 11:01:01
14 packed into like one little spot. You know what I mean? 11:01:04

15 So it's just kind of like gauging whether, you 11:01:09
16 know, like say there's five guys out -- it doesn't 11:01:11
17 matter the number. It is the ratio between number of 11:01:13
18 waves coming in and surfers. So if you see a bunch of 11:01:17
19 people sitting and getting cold, it's probably not a 11:01:20
20 good idea for like five people to paddle out. It just 11:01:23
21 makes it clogged. 11:01:26

22 Q Okay. What is the most number of surfers that 11:01:27
23 you've seen at the water at Lunada Bay surfing? 11:01:33

24 A Maybe like 30 or something. 11:01:36

25 Q What is the least number of surfers that you've 11:01:37

1 Q They didn't ask you to stop doing that; is that 11:15:46
2 correct? 11:15:49

3 A No. Yeah. 11:15:49

4 Q That's correct? 11:15:50

5 A That's correct. 11:15:51

6 Q Mr. Johnston, you've been handed what has been 11:15:51
7 marked as Exhibit 342? 11:17:03

8 A Uh-huh. 11:17:05

9 (Plaintiff's Exhibit 342 was marked for
10 identification by the court reporter.)

11 BY MS. POOLEY:

12 Q Seven-page document identified or labeled as 11:17:06
13 Defendant Johnston Cell Record Detail. 11:17:12

14 Have you ever seen Exhibit 342 before? 11:17:16

15 A Yeah. 11:17:18

16 Q And is Exhibit 342 a printout of text messages 11:17:19
17 that you sent and received on your cell phone? 11:17:34

18 A Yes. 11:17:37

19 Q If you could turn, please, to the fifth page, 11:17:37
20 marked page 5 of 7. So on the left-hand column there 11:18:01
21 are sort of identifying entry numbers, so at the very 11:18:42
22 bottom of page 5, last one is 1839. 11:18:48

23 Do you see that? 11:18:51

24 A 1839? 11:18:53

25 Q The far left. 11:18:54

1 A Okay. Yeah. 11:18:55

2 Q So that we can use those numbers to refer to 11:18:58

3 the various lines in here? 11:19:01

4 A Okay. 11:19:02

5 Q Do you understand? 11:19:03

6 A Yeah. 11:19:03

7 Q Okay. Good. So on April 6th, 2016 did you 11:19:04

8 send someone a link to an article about this lawsuit? 11:19:13

9 A Yes. 11:19:24

10 Q Who did you send that to? 11:19:25

11 A I don't know. I have no idea. 11:19:29

12 Q Who is Logan Clark? 11:19:30

13 A Logan Coke, you mean. 11:19:38

14 Q Yes. Who is Logan Coke? 11:19:40

15 A A buddy of mine in Hawaii. 11:19:41

16 Q And on -- if you look at line 1836. 11:19:43

17 A Uh-huh. 11:20:01

18 Q A few above that. On April 6th, 2016, did you 11:20:02

19 send a text message that is reflected in the message 11:20:13

20 column for that date and that number 1836? 11:20:23

21 A Uh-huh. Yes. 11:20:30

22 Q Can you read what your text message was? 11:20:31

23 A "Haha. Stir the pot with heckling! Bra us 11:20:34

24 locs are being sued over here for being locs." 11:20:40

25 Q Who did you send that message to on April 6th, 11:20:42

1 2016? 11:20:45

2 A Probably the same person. Logan Coke. I don't 11:20:46

3 know. It doesn't say the number that I sent it to, 11:20:48

4 because I was speaking pigeon so it was probably 11:20:51

5 somebody in Hawaii. 11:20:54

6 Q Okay. Then above that, the number 1046? 11:20:55

7 A Uh-huh. 11:21:05

8 Q On February 13th, 2016. Strike that. Go up a 11:21:06

9 line to 1045. 11:21:22

10 A Uh-huh. 11:21:23

11 Q On February 13th, 2016. Did you receive a text 11:21:24

12 message from Jan Weekley? 11:21:29

13 A Yes. 11:21:30

14 Q Who is Jan Weekley? 11:21:30

15 A My mother. 11:21:32

16 Q And what was her message on that date? 11:21:33

17 A Says "I miss Crickey already. How is she? 11:21:36

18 What happened at the bay?" 11:21:39

19 Q Then is your response to her on line 1046? 11:21:42

20 A I'm not sure. 11:21:51

21 Q Did you send a text message that is reflected 11:21:52

22 on line 1046 on February 13th, 2016, 4:11 p.m. 11:22:00

23 A You want me to answer did I send that? 11:22:18

24 Q Yes. 11:22:20

25 A Yes. 11:22:21

1 Q What was that message? 11:22:21

2 A "She's good. Nothing happened. A couple of 11:22:23

3 trolls. They got nothing." 11:22:26

4 Q And you don't believe that is a response to 11:22:29

5 your mother's question about how Crickey is and what 11:22:34

6 happened at the bay? 11:22:37

7 A It could be. 11:22:38

8 Q You don't recall? 11:22:38

9 A No. 11:22:40

10 Q What did you mean by "nothing happened really"? 11:22:40

11 A I don't know. It could have been like a 11:22:51

12 response to what happened at one of their little bay 11:22:54

13 surf day things that they organize. 11:22:58

14 Q What do you mean by -- what did you mean by 11:23:02

15 "couple trolls"? 11:23:08

16 A Just couple of outside people. Outsiders. 11:23:08

17 Q Trolls is a word for outsiders? 11:23:10

18 A Yeah. 11:23:13

19 Q And "they got nothing", what did you mean by 11:23:13

20 that? 11:23:17

21 A It means that they didn't get any surf. 11:23:17

22 Q Why did they get no surf? 11:23:20

23 A I don't know. Maybe there was no waves or -- I 11:23:35

24 can't remember if that year in 2016 when they came if it 11:23:38

25 was flat or not. I think it was. 11:23:42

1 Q Who were these outsiders that you referred to 11:23:46
2 as trolls that -- that were present on February 13th, 11:23:51
3 2016? 11:23:55

4 A Just all the people from the Aloha Point Surf 11:23:57
5 Club thing, which is Chris Taloa's Internet gang. 11:24:02

6 Q So your testimony is that Chris Taloa and the 11:24:09
7 Aloha Point Surf Club came to Lunada Bay on February 13, 11:24:25
8 2016? 11:24:30

9 A Yeah. Maybe it was the day before. I don't 11:24:30
10 remember when that text was. When is Martin Luther King 11:24:39
11 Day? That's the day that they always come. 11:24:43

12 Q If you could turn to page 4, please. Number 11:24:46
13 1032 for February 12th, 2016? 11:25:08

14 A Uh-huh. 11:25:11

15 Q Reflects a message that you read. What was the 11:25:12
16 message that you read? 11:25:20

17 A "No fucking way. Taloa is back this year?" 11:25:21

18 Q Who sent you that message? 11:25:25

19 A I don't know. Does it say a number or 11:25:30
20 anything? I don't know. 11:25:32

21 Q Then you sent a message on line 1033 on 11:25:37
22 February 12th, 2016, correct? 11:25:44

23 A Yes. 11:25:45

24 Q What was your message? 11:25:46

25 A "If you really wanna be a bay boy we might meet 11:25:48

1 help tomorrow." 11:25:53

2 Q Do you think "meet" was a typo and was supposed 11:25:53

3 to be "need"? 11:25:59

4 A Yeah. 11:26:00

5 Q And to whom did you send that text message? 11:26:00

6 A That was to my friend, Chad Dime. 11:26:08

7 Q How do you spell Chad's last name? 11:26:16

8 A D-i-m-e. 11:26:19

9 Q How do you know Mr. Dime? 11:26:21

10 A He is a friend of mine. He's the one that -- 11:26:25

11 from DIFF Eyewear that sponsors me. 11:26:31

12 Q Where does Mr. Dime live? 11:26:34

13 A He lives in Portuguese Bend. 11:26:36

14 Q Where is that? 11:26:41

15 A I think it's Rancho Palos Verdes. 11:26:42

16 Q How long have you known Mr. Dime? 11:26:45

17 A Maybe like five, ten years. 11:26:55

18 Q And what did you mean by "a bay boy"? 11:26:58

19 A Obviously, I was pretty much just joking. I 11:27:06

20 had seen all the articles that had been being written 11:27:11

21 and I saw that everyone was calling us Bay Boys, so I 11:27:15

22 was making a joke like you really want to be a Bay Boy, 11:27:19

23 we might need help tomorrow. 11:27:23

24 Q Have you ever heard the -- strike that. 11:27:24

25 Have you ever heard the term "Bay Boy" prior to 11:27:33

1 this lawsuit? 11:27:36

2 A No. 11:27:36

3 Q Have you ever heard the term "Lunada Bay Boys" 11:27:36

4 prior to this lawsuit? 11:27:42

5 A No. 11:27:43

6 Q When you said you might need help tomorrow, 11:27:44

7 what were you referring to? 11:27:49

8 A I was saying maybe we need him to come surf and 11:27:51

9 help us make it crowded, because that was probably the 11:27:56

10 day that Taloa and all the point gang were coming and we 11:27:59

11 just wanted to have it really crowded so that -- I don't 11:28:05

12 know. 11:28:11

13 Q Are you sure about that? 11:28:11

14 A About what? 11:28:13

15 Q That they were referring to Chris Taloa and his 11:28:14

16 associates coming to Lunada Bay on February 13th, 2016? 11:28:23

17 MS. KARAPETYAN: Objection. Argumentative. 11:28:32

18 THE WITNESS: Pretty sure. 11:28:34

19 BY MS. POOLEY: 11:28:36

20 Q Are you referring to an event on Martin Luther 11:28:36

21 King's birthday holiday? 11:28:38

22 A Probably, yeah. 11:28:40

23 Q If I represent to you that that holiday is in 11:28:40

24 January, would that change your testimony? 11:28:43

25 A Yeah. I just don't know when that holiday is. 11:28:46

1 Q Okay. So do you know what you were asking for 11:28:50
2 help for? 11:28:56
3 A Maybe help carrying down firewood. 11:28:57
4 Q Can you let me finish the question, please. 11:28:59
5 A Sorry about that. 11:29:01
6 Q What were you asking for help for from Mr. Dime 11:29:02
7 on February 12th, 2016? 11:29:08
8 A Maybe carrying down firewood. Carrying down 11:29:11
9 beers, ice, coals, or help carrying up garbage. 11:29:15
10 Q Are you guessing or do you know? 11:29:23
11 A I'm guessing. 11:29:25
12 Q Okay. So you don't recall what you were asking 11:29:26
13 for help with? 11:29:31
14 A No. 11:29:32
15 Q Let's go back to the top of page 5. Look at 11:29:32
16 line 1037. Does that reflect a text message that you 11:29:47
17 sent on February 12th, 2016 at 11:08? 11:29:57
18 A Yeah. 11:30:05
19 Q What was your text message there? 11:30:06
20 A "Could be a great help if you are there! 11:30:09
21 Supposed to be a police setup at our spot. Calling all 11:30:11
22 gards." 11:30:16
23 Q Who did you send that message to? 11:30:16
24 A I don't know. It doesn't say. 11:30:23
25 Q Was that part of the same conversation with 11:30:24

1	Mr. Dime?	11:30:26
2	A I don't think so.	11:30:27
3	Q But you are not sure?	11:30:27
4	A I'm not sure. It doesn't say who I sent it to.	11:30:36
5	Q When you say there's supposed to be a police	11:30:39
6	setup at our spot, what did you mean by "police setup"?	11:30:48
7	A I think that they were trying to, you know, put	11:30:52
8	cameras up and get evidence of people doing something.	11:30:57
9	I don't know.	11:31:02
10	Q How did you know that?	11:31:03
11	A Because it's just been obvious that everyone is	11:31:07
12	trying to come and set people up doing stuff.	11:31:10
13	Q How did you know that it was going to be a	11:31:14
14	particular day?	11:31:18
15	A I don't know.	11:31:20
16	Q Did you know at the time?	11:31:20
17	A I don't think so.	11:31:23
18	Q When you say "our spot", what are you referring	11:31:23
19	to?	11:31:32
20	A I don't know. Our surf spot? Or our patio or	11:31:33
21	our beach or -- I'm not sure.	11:31:38
22	Q Were you referring to Lunada Bay?	11:31:43
23	A Probably.	11:31:45
24	Q You are not sure?	11:31:45
25	A Probably was referring to Lunada Bay.	11:31:47

1 Q When you say "probably" -- 11:31:49

2 A I can't be sure because there's no like number 11:31:52

3 of who I sent it to. The dates are jumbled. I'm not 11:31:57

4 even sure of anything in life, you know. I'm not sure 11:32:01

5 that this planet is going to survive another 100 years, 11:32:04

6 you know. I'm not sure about anything, so -- 11:32:08

7 Q Okay. So in the text message that you sent on 11:32:12

8 February 12th, 2016 that's depicted on line 1037 of 11:32:17

9 Exhibit 342, you are not sure whether you were referring 11:32:22

10 to Lunada Bay when you said "our spot"; is that correct? 11:32:27

11 A I said yes, I am sure. 11:32:31

12 Q You are sure? 11:32:33

13 A Yes. 11:32:34

14 Q Okay. 11:32:34

15 A You were talking about something else. 11:32:37

16 Q Okay. And when you said "calling all gards", 11:32:39

17 what did you mean by "gards", g-a-r-d-s? 11:32:45

18 A I don't know. Calling all gards? I don't 11:32:49

19 know, don't they usually say that. It's like a saying, 11:32:52

20 "Calling all gards." I don't know. Lifegards. 11:32:56

21 Q You don't know what you meant? 11:32:59

22 A No. 11:33:01

23 Q Is that a -- is "gards" a term that you used? 11:33:01

24 A No, I don't use that term a lot at all. 11:33:04

25 Q So when you said "gards", you don't know today 11:33:08

1 bitch" in his text message on March 28, 2016, who did 11:58:33
2 you understand he was referring to? 11:58:37
3 A To Ms. Diana Reed. 11:58:39
4 Q Now, on line 764, above that one, there's a 11:58:41
5 reference to a text message sent on 3-29-2016 at 8:55 11:59:04
6 p.m. Do you see that? 11:59:11
7 A Uh-huh. 11:59:12
8 Q Is that a text message that you sent? 11:59:13
9 A Probably. If it's on there. 11:59:16
10 Q What was the text message that you sent on that 11:59:18
11 day an time? 11:59:21
12 A "Super gay!! How did they get the names?" 11:59:22
13 Q What did you mean by "super gay!!"? 11:59:24
14 A Like super lame. 11:59:29
15 Q "Gay" is lame? 11:59:31
16 A Yeah. 11:59:33
17 Q Why is that? 11:59:33
18 A I don't know. I didn't write the dictionary. 11:59:35
19 That's what it means. 11:59:38
20 Q "Gay" means lame? 11:59:38
21 A Yeah, in surfer talk. 11:59:41
22 Q So you're referring to the surfer dictionary? 11:59:44
23 A Yeah, that's how I talk. It doesn't have 11:59:46
24 anything to do with homosexual people, but just a 11:59:52
25 coincidence. 11:59:56

1 Q Do you know what the term L.G.B.T. stands for? 11:59:58
2 A Yes. 12:00:03
3 Q What does it stand for? 12:00:03
4 A Lebian; Gay; bisexual; transgender. 12:00:04
5 Q Have you ever wore a shirt that had L.G.B.T. on 12:00:09
6 it? 12:00:14
7 A Yeah. 12:00:14
8 Q Did those letters in the shirt that you wore 12:00:14
9 stand for somebody else? 12:00:18
10 A Yeah. Liberty; beer; tits and guns. 12:00:19
11 Q When you asked in your text message that you 12:00:30
12 sent on March 29th, 2016 how did they get the names, 12:00:33
13 what were you referring to? 12:00:38
14 A I was just asking a question. Like how did 12:00:40
15 they come up with our names? It seems kind of random. 12:00:45
16 Q For the lawsuit? 12:00:50
17 A Yeah, since we haven't done anything. 12:00:51
18 Q To whom did you send this text message that's 12:00:53
19 on line number 764? 12:00:59
20 A I'm not sure. Probably a reply to Charlie Moet 12:01:01
21 to what he was sending me. 12:01:05
22 Q Is that how Mr. Moet spells his last name? 12:01:06
23 A I think so. 12:01:18
24 Q M-o-e-t? 12:01:18
25 A I think so. 12:01:21

1 A Like brother. 12:02:54

2 Q So to you as his brother? 12:02:55

3 A Not like blood brothers, but brothers. 12:02:58

4 Q Yeah. Okay. Above that number 761 reflects a 12:03:02

5 text message that you sent to Mr. Sully at 9:12 p.m. on 12:03:16

6 March 29th, 2016. Correct? 12:03:22

7 A Yeah. 12:03:25

8 Q What was your message to Mr. Sully on that date 12:03:25

9 and time? 12:03:30

10 A It says, "Yeah, saw that super gay!! Who 12:03:31

11 narked my name!! So lame!!" 12:03:34

12 Q Again, by "super gay" in that message you 12:03:36

13 meant -- 12:03:41

14 A Super lame. 12:03:41

15 Q What did you mean by "narked my name"? 12:03:44

16 A Narked is like a nark, like tattling. Telling. 12:03:48

17 Q Then on lines 759 and 760, appears to be a 12:03:55

18 single text in two portions that you read from Mr. Tom 12:04:19

19 Sully on March 29th, 2016, correct? 12:04:25

20 A Yes. 12:04:29

21 Q If you start with the one -- 1/2, then proceed 12:04:29

22 to 2/2, could you read the message that he sent you? 12:04:36

23 A Yes. "I bet it was police chief he has photos 12:04:39

24 of all of us she probably just picked from a line up 12:04:43

25 don't trip too hard she has nothing. It's not illegal 12:04:47

1 and he lived there off and on ever since I was a kid. 12:16:48

2 Q Okay. Who is Pete Babros? 12:16:53

3 A He's another friend of Mark Aricos that I know 12:16:59

4 through Mark that surfs around Palos Verdes. 12:17:03

5 Q Where does Mr. Babros live? 12:17:08

6 A I think he lives in like Redondo Beach or 12:17:11

7 something. 12:17:14

8 Q Have you surfed with Mr. Babros at Lunada Bay? 12:17:14

9 A Yes. 12:17:23

10 Q Did Mr. Babros ever live in Palos Verdes 12:17:23

11 Estates, to your knowledge? 12:17:35

12 A Not that I know of. 12:17:36

13 Q Okay. Let's go off the record. 12:17:38

14 THE VIDEOGRAPHER: Okay. We are now going off 12:17:45

15 the record. The time on the video monitor is 12:17:49

16 approximately 12:18. This is the end of media number 2 12:17:52

17 in the continuing testimony of Alan Johnston. We are 12:17:58

18 now going off the record. 12:18:00

19 (Lunch Recess.)

20 THE VIDEOGRAPHER: We are now going back on the 13:03:34

21 record. The time on the video monitor is approximately 13:04:15

22 1:04. This is the beginning of media number 3 in the 13:04:19

23 continuing testimony of Alan Johnston. Counsel. 13:04:22

24 BY MS. POOLEY: 13:04:27

25 Q Mr. Johnston, earlier you testified about 13:04:27

1 occasions when the Palos Verdes Estates police 13:04:33
2 department were present at Lunada Bay when you were 13:04:35
3 cooking at the patio area of the rock fort. Do you 13:04:37
4 recall? 13:04:41
5 A Yeah. 13:04:42
6 Q On those occasions were you drinking beer or 13:04:42
7 other alcohol? 13:04:45
8 A Probably. 13:04:46
9 Q Were others also drinking beer or alcohol? 13:04:46
10 MS. HEWITT: Calls for speculation. 13:04:50
11 THE WITNESS: Most definitely. Not always, 13:04:51
12 though. Sometimes we burn weed and just, you know, 13:04:53
13 cruise. Then sometimes there's alcohol; sometimes 13:04:57
14 there's not. It doesn't have to be every time. 13:04:59
15 BY MS. POOLEY: 13:05:03
16 Q I'm speaking specifically of the occasions when 13:05:03
17 the police officers were present? 13:05:06
18 A Okay. I think only one time we had beers down 13:05:08
19 there when the police officers -- most of the time they 13:05:15
20 just tell us to pour it out or don't have it. 13:05:17
21 Q Is that what happened on the occasions that you 13:05:19
22 recall them being present? 13:05:22
23 A Yeah. 13:05:24
24 Q They asked to you pour it out? 13:05:24
25 A Well, they are just like don't bust out the 13:05:26

1	beers when we are down here, so --	13:05:28
2	Q So did you pour it out or just put it away?	13:05:30
3	A I didn't open it. I didn't even bust it out.	13:05:32
4	Q I see. Is it Robert bacon, is that the correct	13:05:36
5	name?	13:05:46
6	A Yeah.	13:05:47
7	Q Is Robert Bacon a friends of yours?	13:05:47
8	A Yes.	13:05:50
9	Q How do you know him?	13:05:50
10	A Just from surfing Lunada Bay.	13:05:52
11	Q How long have you known him?	13:05:54
12	A 15 years.	13:05:57
13	Q Where does Mr. Bacon live?	13:05:58
14	A I think in Portuguese Bend.	13:06:03
15	Q Okay. Did he live in Palos Verdes Estates?	13:06:06
16	A I don't know.	13:06:11
17	Q Is Brant Blakeman a friend of yours?	13:06:11
18	A Yes.	13:06:22
19	Q How long did you know Mr. Blakeman?	13:06:22
20	A 15-plus years.	13:06:25
21	Q How do you know Mr. Blakeman?	13:06:26
22	A Just from surfing around Lunada Bay and also	13:06:28
23	just, you know, beachcombing. We love beachcombing. We	13:06:34
24	collect feathers. Do art together. It is not just	13:06:41
25	surfing, but artists.	13:06:45

1 previously, and that's not productive to continue to ask 13:59:40
2 him what he hears in this setting playing it on a small 13:59:43
3 laptop where he's indicated that he can't hear it. I 13:59:47
4 believe the video speaks for itself, and any further 13:59:50
5 questioning about what it does or doesn't say can be 13:59:52
6 left up to a trier of fact, not a witness. 13:59:56
7 BY MS. POOLEY: 14:00:00
8 Q After you said "Did I just see you guys on the 14:00:00
9 cover of the fucking biggest periodical this morning?" 14:00:04
10 Did Ms. Reed -- did Ms. Reed say, "No"? 14:00:08
11 A Yes. 14:00:12
12 Q Did the other woman who you have identified as 14:00:12
13 Ms. Reed's friend also say, "No"? 14:00:16
14 A Yes. 14:00:18
15 Q Okay. And then did you say "I seen you"? 14:00:18
16 A Yes. 14:00:23
17 Q And were you referring to Ms. Reed? 14:00:23
18 A Yes. 14:00:25
19 Q And did you say, "I think I touched myself a 14:00:26
20 little bit"? 14:00:32
21 A Yeah. That was a great photo. 14:00:33
22 Q What photo? 14:00:38
23 A The cover. Have you seen it? It's her like 14:00:42
24 basking in the morning sunlight. So beautiful. 14:00:45
25 MS. POOLEY: Let's take a quick break. 14:01:04

1 about whether this defendant understood that he had been 14:18:33
2 noticed for a deposition on June 30th. I'm not 14:18:39
3 interested in how it was communicated or who 14:18:42
4 communicated it to him. I'm not asking for a privileged 14:18:45
5 communication. I'm asking for his understanding. 14:18:48

6 THE WITNESS: No, I didn't understand it. 14:18:51

7 BY MS. POOLEY: 14:18:53

8 Q Okay. Can you please take a look at what's 14:18:53
9 been marked as Exhibit 344. That is for you to look at, 14:19:44
10 Mr. Johnston.

11 A Cool. 14:19:49

12 Q Can you please take a look at what has been
13 marked at 344.

14 A A bunch of numbers. Nice. 14:19:49

15 Q You are finished reviewing it? 14:19:56

16 A I mean, what is it? A bunch of phone calls 14:19:58
17 that I made? Cool. 14:20:03

18 Q Is Exhibit 344 the phone bills associated with 14:20:04
19 your cell phone? 14:20:20

20 A Oh, sweet. Killer. 14:20:22

21 Q Is that a "yes"? 14:20:25

22 A Yeah, I am stoked. Yes. 14:20:27

23 (Plaintiff's Exhibit 344 was marked for
24 identification by the court reporter.)

25 BY MS. POOLEY:

1	Q	Mr. Johnston, if you could take a look at	14:20:28
2		what's been marked as Exhibit 345. I will represent to	14:21:09
3		you that this was produced by you through your attorney.	14:21:29
4		Do you recognize Exhibit 345 to be the text	14:21:36
5		messages that you sent and received from your cell	14:21:42
6		phone?	14:21:45
7	A	Yes.	14:21:46
8		(Plaintiff's Exhibit 345 was marked for	
9		identification by the court reporter.)	
10	BY MS. POOLEY:		
11	Q	On the dates indicated?	14:21:46
12	A	Yeah.	14:21:49
13	Q	On exhibit --	14:21:49
14	A	Yes, I think so.	14:21:51
15	Q	And these text messages are also contained	14:21:52
16		within Exhibit 342, correct?	14:22:03
17	A	Yes.	14:22:06
18	Q	Do you own any digital cameras?	14:22:06
19	A	Yes.	14:22:41
20	Q	Do you own more than one?	14:22:42
21	A	At the moment just one.	14:22:50
22	Q	What kind is that?	14:22:51
23	A	Like a Sony Handycam. I just bought it like a	14:22:54
24		month and a half ago, though.	14:23:00
25	Q	Before this Sony, have you owned any digital	14:23:01

1 A Yes. 14:37:06

2 Q Who did you give it to? 14:37:06

3 A To Pat. 14:37:08

4 Q Your attorney? 14:37:09

5 A Yes. 14:37:12

6 Q Do you ever share photos or videos with people 14:37:16

7 that you surf with? 14:37:25

8 A What do you mean? Like text them back and 14:37:27

9 forth or something? 14:37:29

10 Q In any manner. 14:37:30

11 A Yeah, of course. 14:37:33

12 Q How have you done that? How have you shared? 14:37:34

13 A Just texting. 14:37:39

14 Q Who have you texted photos or videos with that 14:37:39

15 you surf with? 14:37:43

16 A All my friends from Hawaii. All my friends 14:37:44

17 from Mexico, Indonesia. Nobody from Lunada Bay. That's 14:37:48

18 just taboo for the bay, but all my friends around the 14:37:53

19 world are always sharing pictures of us surfing, but 14:37:56

20 nothing of the bay. 14:37:59

21 Q Have you ever had any -- first of all, do you 14:38:08

22 have any tattoos? 14:38:16

23 A Yes. 14:38:19

24 Q What do you have -- do you have more than one? 14:38:19

25 A No, just -- it's one, but they've been like 14:38:22

1 kind of added to and stuff over the years. 14:38:25

2 Q Where is your tattoo? 14:38:29

3 A Right on my stomach here. 14:38:31

4 Q What does your tattoo depict? 14:38:33

5 A There's a Lunada Bay, with a moon with a -- 14:38:36

6 there is a Japanese gonge, then just some kind of art 14:38:44

7 work kind of around it. 14:38:48

8 Q When you say it has Lunada Bay with a moon, 14:38:49

9 what do you mean? The words or -- 14:38:54

10 A It says like "Lunada Bay", then there is like a 14:38:57

11 little moon with some clouds and stuff above it. 14:38:59

12 Q So the full words of "Lunada Bay"? 14:39:01

13 A Yeah. 14:39:03

14 Q Then the moon is over that? 14:39:03

15 A Yeah. 14:39:06

16 Q Then where is this Japanese gonge in 14:39:06

17 relation --

18 A Gonge.

19 Q Gonge. Excuse me. Where is the Japanese gonge 14:39:11

20 in relation to the words "Lunada Bay"? 14:39:13

21 A Like just below it. 14:39:15

22 Q Where is the other art work? 14:39:16

23 A Just like above it. They are all kind of just 14:39:20

24 -- all my tattoos in my life are going to be just like 14:39:22

25 stemming off one. Just kind of like art work. 14:39:26

1 THE WITNESS: I think it would be worse because 16:06:47
2 then you would have more people coming down that didn't 16:06:49
3 know what they are doing. 16:06:51

4 BY MS. POOLEY: 16:06:59

5 Q Would it be safer if the police or lifeguards 16:06:59
6 or other safety personnel had easier access to Lunada 16:07:11
7 Bay? 16:07:14

8 MS. HEWITT: Calls for speculation. Also 16:07:15
9 compound and overbroad. 16:07:17

10 MR. DIEFFENBACH: Same objections as previously 16:07:18
11 stated. 16:07:20

12 THE WITNESS: I said no. I don't think so. 16:07:20
13 Because there's -- everyone is already safe. I've never 16:07:23
14 seen anyone like drown or even come close to drowning 16:07:26
15 because all of us surfers, we look out for each other. 16:07:30
16 We don't need any like external lifeguards or any help 16:07:34
17 like that. A lot of guys that surf there are lifeguards 16:07:40
18 anyway, so -- 16:07:44

19 BY MS. POOLEY:

20 Q Is there any reason for paddling circles around 16:07:45
21 another surfer in the water? 16:07:49

22 MR. DIEFFENBACH: Speculation. No foundation. 16:07:51
23 Incomplete hypothetical. Lacks foundation. Calls for 16:07:53
24 speculation, if I didn't say it already. 16:07:55

25 THE WITNESS: What do you mean, just like 16:07:57

1 straight around and around? 16:08:00

2 BY MS. POOLEY: 16:08:01

3 Q Yeah. 16:08:01

4 A That would be like to piss somebody off. 16:08:03

5 Q Is that a typical part of the sport? 16:08:13

6 A No. That's the worst end of it that you could 16:08:17

7 ever do to somebody. I don't even like when somebody 16:08:22

8 comes and sits too close to me. I like at least 15 feet 16:08:24

9 of area to be able to like swing around for a wave or 16:08:29

10 just like -- I'm out there to surf and enjoy nature, not 16:08:33

11 to smell somebody else's perfume or something, you know. 16:08:39

12 Q Is there any reason to tell another surfer in 16:08:41

13 the water that you can't be here? 16:08:45

14 A No, not -- besides like safety issues and 16:08:48

15 stuff. Then it wouldn't even be like you can't be here, 16:08:50

16 it would be please just sit on the inside for a little 16:08:59

17 while and stay out of the wave so you don't hurt 16:09:02

18 somebody. Guidelines. 16:09:05

19 Q Is there any reason for asking another surfer 16:09:07

20 where they went to high school? 16:09:09

21 A No. 16:09:11

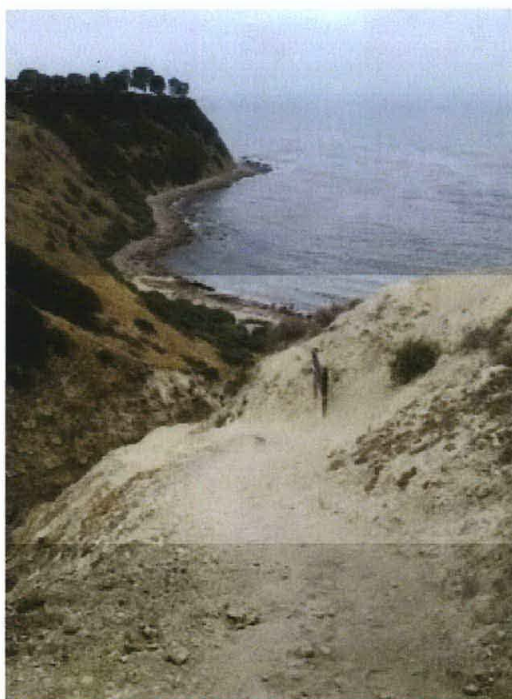
22 MR. DIEFFENBACH: Speculation. No foundation. 16:09:12

23 BY MS. POOLEY: 16:09:14

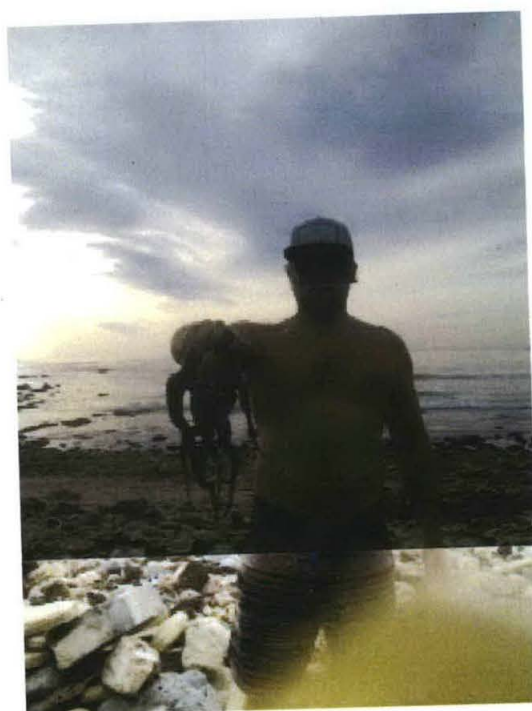
24 Q Is there any reason to ask another surfer where 16:09:14

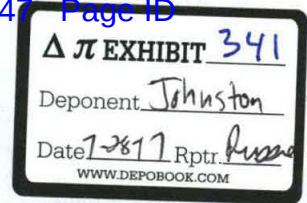
25 they live? 16:09:17

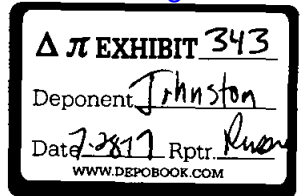
$\Delta \pi$ EXHIBIT 339	
Deponent	Johnston
Date	7-28-17 Rpt. Lucas
WWW.DEPOBOOK.COM	



$\Delta \pi$ EXHIBIT 340	
Deponent	Johnston
Date	1-28-17 Rptd. [Signature]
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21 UNITED STATES DISTRICT COURT
22 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION
23

24 CORY SPENCER, an individual;
25 DIANA MILENA REED, an
individual; and COASTAL
26 PROTECTION RANGERS, INC., a
27 California non-profit public benefit
corporation,
28

CASE NO. 2:16-cv-02129-SJO (RAOx)

PLAINTIFFS' AMENDED NOTICE OF
DEPOSITION OF
DEFENDANT ALAN JOHNSTON

Complaint Filed: March 29, 2016
Trial Date: November 7, 2017

Case No. 2:16-cv-02129-SJO (RAOx)

PLAINTIFFS' AMENDED NOTICE OF DEPOSITION OF DEFENDANT ALAN JOHNSTON

1 Plaintiffs,

2 v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including but
6 not limited to SANG LEE, BRANT
7 BLAKEMAN, ALAN JOHNSTON
8 AKA JALIAN JOHNSTON,
9 MICHAEL RAE PAPAYANS,
10 ANGELO FERRARA, FRANK
11 FERRARA, CHARLIE FERRARA,
12 and N. F.; CITY OF PALOS
13 VERDES ESTATES; CHIEF OF
14 POLICE JEFF KEPLEY, in his
15 representative capacity; and DOES
16 1-10,

17 Defendants.

18 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

19 Please take notice that on July 28, 2017 at 9:00 a.m., Plaintiffs Cory
20 Spencer, Diana Milena Reed, and the Coastal Protection Rangers, Inc.
21 ("Plaintiffs") will take the deposition of Defendant Alan Johnston at Premier
22 Business Center at the Atrium, 19200 Von Karman Avenue, 4th Floor, Irvine,
23 CA 92612, (949) 622-5400. The deposition will be taken from day to day
24 thereafter until completed.

25 NOTICE IS FURTHER GIVEN that the deposing party intends to
26 cause the proceedings to be recorded stenographically through the instant

27 ///

28 ///

///

///

1 visual display of the testimony and will also be recorded by videotape and
2 audiotape.

3 DATED: July 3, 2017

HANSON BRIDGETT LLP

4
5
6 By: 

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PROOF OF SERVICE
Spencer, et al. v. Lunada Bay Boys, et al.
(Case #2:16-cv-02129-SJO (RAOx))

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Francisco, State of California. My business address is 425 Market Street, 26th Floor, San Francisco, CA 94105.

On July 3, 2017, I served a true copy of the following document(s) described as:

**PLAINTIFFS' AMENDED NOTICE OF DEPOSITION
OF DEFENDANT ALAN JOHNSTON**

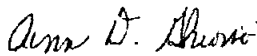
on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on July 3, 2017, at San Francisco, California.


Ann D. Ghiorso

SERVICE LIST

Spencer, et al. v. Lunada Bay Boys, et al.
(Case #2:16-cv-02129-SJO (RAOx))

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